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July 9, 2021

## Via ECF and Email

Honorable Robert D. Drain  
U.S. Bankruptcy Court  
300 Quarropas Street  
White Plains, New York 10601

Re: The Gateway Development Group Inc.  
Chapter 7 Case No. 21-22304

Dear Judge Drain,

We are counsel to the Debtor.

We are in receipt of the letter of Mr. Pastore to the Court dated July 8, 2021. The Debtor objects to the characterization in the letter that it is “playing games.” That assertion is demonstrably false for the following reasons:

- 1.) The Debtor has complied with all of the requirements of the Bankruptcy Code applicable to a corporate Chapter 7 case;
- 2.) It has appeared at the 341(a) meeting by and through John Fareri, its Chief Executive Officer and majority stockholder. At the meeting Mr. Fareri was examined by Mr. Magaliff as well as Mr. Levitt, one of the attorneys for Mr. Carnicelli. The examination lasted approximately 2.5 hours;

- 3.) The Debtor advised Mr. Magaliff that Chris Sheskier, an employee of Fareri Associates, LP, a non-debtor entity owned by Mr. Fareri, who assisted the Debtor in preparing the Schedules, was willing to voluntarily be examined to provide further information. Mr. Magaliff issued a subpoena to Mr. Sheskier to appear for examination on July 1, 2021. That examination went for approximately 6.5 hours and covered, *inter alia*, all the information set forth in the Schedules;
- 4.) On July 2, 2021 the Debtor responded to Mr. Carnicelli's Interrogatories and document demands pursuant to the Order shortening time. Prior to the receipt of Mr. Pastore's letter to the Court the Debtor had not been advised there were any objections to its responses;
- 5.) The Debtor is cooperating with the Trustee and his accountants to provide any and all financial information they have requested;
- 6.) The Debtor has arranged the turnover of its vehicles to the Trustee's liquidator and has turned over all cash in its possession to the Trustee.

As stated in Mr. Pastore's letter, Mr. Carnicelli did not notice the Debtor for any examinations under oath in connection with the motion to dismiss or otherwise and therefore it will not address any of the issues raised with respect to the notices.

The Debtor does not consent to combining the hearing on Mr. Carnicelli's motion to dismiss with any motion that is to be made or that is pending in the Gateway Kensington Chapter 11 case.

Respectfully yours,  
/s/Jeffrey A. Reich  
Jeffrey A. Reich

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